

non-real time telecommunication connections over a radio interface between mobile stations and the fixed parts of the mobile telecommunication system, comprising in the order recited the steps of:

A/ would
- suspending at least one active non-real time telecommunication connection between a mobile station and the fixed parts of the mobile telecommunication system,

- performing a handover from the first network connection to the second network connection, and

- resuming the suspended non-real time telecommunication connection.

REMARKS

A marked-up version of the rewritten claim is attached hereto.

The present invention involves three distinct phases performed in order, as is also recited in the independent claim:

- suspending an active connection

- only after having suspended the connection, performing a handover,

and only having successfully completed the handover, resuming the previously suspended active connection.

Here "suspending" means that active transmission of data is interrupted in a controlled manner, so that both the transmitting and the receiving devices in said connection are aware of which data packets were transmitted successfully. The

enclosed Webster's Dictionary confirms this by explaining the word "suspend" as "2. To cause to cease or become inoperative for a time; to stop or withhold temporarily". It is clear that suspending involves a certain degree of voluntariness; the active connection does not cease to exist because of some abrupt transmission failure, but is wound down in a controlled manner. Conceptually one may think that the transmitting and receiving devices jointly establish a state where each of them knows exactly what has happened so far in the active connection, and each of them understands that nothing more will happen before the resuming step. Note that all this is accomplished *before* the handover procedures are initiated.

It is easy to understand that such an order of actions enables completely avoiding any loss of data. This is an important difference from prior art methods where rerouting only started once it was noted that the old connection had problems. If the transmitting and receiving devices wait until some packets have already gone missing due to transmission failures before they start performing a handover, it is too late to recover all lost data. The most one can do is to take some steps towards minimizing the damage, i.e., making sure that the amount of lost data stays as small as possible.

Kalmanek confirms the above-explained suboptimal prior art handover (or handoff, or hand-off) concept and agrees with it at many locations of his description. For example in column 2, lines 36-38, Kalmanek acknowledges that there will be both "transmission errors and loss of data due to mobile host roaming" and announces that his invention will "reduce" [but not avoid] data loss during hand-off".

In column 4, lines 18-25, Kalmanek explains how the starting point for his rerouting procedure is a situation where the mobile host has moved outside the area covered by its previous local network, which consequently can no longer provide connectivity. At that point it is definitely too late to start suspending any active connections through the old local network because the mobile host can no longer receive its transmissions; neither can the old local network hear anything from the mobile host. The most the devices can do is to note that the other side is not listening any more, and start rerouting as quickly as possible in order not to transmit any more data that the old recipient could not receive anyway.

Claim 1 recites "...suspending...". This is totally missing from Kalmanek. Further, amended claim 1 now recites "...in the order recited..." i.e., the suspension occurs before the handover. This is also missing from Kalmanek. Thus the rejection of claims 1 and 9 under 35 U.S.C. 102 on this reference should be withdrawn.

Further, since there is no suggestion in Kalmanek of the present invention, it is unobvious over this reference.

The first method step recited in the Nishio is "sending hand-over start information to..." which means that also Nishio fails to disclose a method where a connection would be suspended first and handover would be started only thereafter. The other cited references also fail to show the order of actions as recited in the applicant's pending independent claims.

Therefore, the rejection of claims 2-8 under 35 U.S.C. 103 on Kalmanek in view of the various remaining references should be withdrawn.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,

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April 26, 2002
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Application No.: 297-008939-US (PAR)

MARKED UP CLAIM

1. (Amended) A method for a mobile station for performing a handover from a first network connection to a second network connection in a mobile telecommunication system providing for non-real time telecommunication connections over a radio interface between mobile stations and the fixed parts of the mobile telecommunication system, comprising in the order recited the steps of:

- suspending at least one active non-real time telecommunication connection between a mobile station and the fixed parts of the mobile telecommunication system,
- performing a handover from the first network connection to the second network connection, and
- resuming the suspended non-real time telecommunication connection.

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ILLUSTRATED THROUGHOUT



SIMON
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surtax

ated income tax levied in addition to normal tax, on the amount of net income which exceeds a certain sum.

sūr-tax', *v.t.* [Fr. *surtaxer*.] to tax.

-tō', *n.* [Fr. *lit.*, over-all; *sūr-*, from *L. lotus*, all.] a man's coat over his other garments; a man's coat, especially one that resembles a

sūr-, *n.* [Ice. *surtarbrandr*; *svartr*, brandr, a firebrand.] fibrous brown in the north of Iceland.

-vāl'āns, *n.* 1. inspection or surveillance.

or observation kept over a person, or under suspicion or a prisoner.

sūr-, *n.* [Fr. *ppr.* of *surveiller*, to *sur-*, from *L. super*, over, and *L. vigilare*, to watch.] one who observes; a supervisor or over-

seer, a. keeping surveillance; watch- ing over others; overseeing; ob- servant.

sūr-, *v.t.* to supervise. [Obs.]

sūr-, *n.* a sudden or unexpected inter- ruption.

sūr-, *v.t.* surveyed, *pl.*, *pp.*; surveying, *ppr.*, over, and *O.Fr. veoir*, to see, *ppr.*, over, and *videre*, to see.]

sūr-, *v.t.* to inspect or take a view of, in a general or comprehensive way, to perceive. [Obs.]

sūr-, *v.t.* to examine carefully with reference to situation, or the like, with a view to making the precise state or value of; to consider carefully.

sūr-, *v.t.* to determine the boundaries, form, ex- tension, position, etc. of (a tract of land); to measure linear and angular meas- urements and the application of the princi- ples of trigonometry.

sūr-vā', *n.*; *pl. sūr-veys*, 1. the surveying; a general study or inspec-

tion of our own understandings. —Locke.

sūr-, *v.t.* to view; comprehensive study or inspection; as, the course presents a survey of the land.

sūr-, *v.t.* the operation of surveying the form, extent, area, position, con- tains of a tract or area of land; (b) the plan, account, or description of a survey; (c) an area that has been surveyed.

sūr-, *v.t.* a cadastral survey; a survey, under the authority of the Commerce Department, of the rivers of the United States, for navigation and naval navigation.

sūr-, *v.t.* a Geological Survey; a govern- ment acting under the super- vision of the Department of the Interior, concerned with the geologic condi- tion of the borders and dependencies of the States and consists of the descrip- tion of mineral and water deposits.

sūr-, *v.t.* a. capable of being surveyed; to be surveyed.

sūr-, *v.t.* survey. [Rare.]

sūr-, *v.t.* survey; inspection. [Rare.]

sūr-, *v.t.* 1. the act of surveying.

sūr-, *v.t.* the occupation of surveying

sūr-, *v.t.* nautical surveying; the surveying

of coasts and harbors, the posi- tions of objects on the shore,

rocks, and shoals, the entrances of

depth of water, etc.

sūr-, *v.t.* 1. an overseer; one placed to

oversee others.

sūr-, *v.t.* to survey or measure land; one

surveying.

sūr-, *v.t.* inspector or superintendent, espe-

cially one who ascertains the

value of imported merchandise.

sūr-, *v.t.* the customs or of the port; in the

case, a revenue officer who has gen- eral

charge of the loading and unloading

and who has charge of the staff of

inspectors, gaugers, etc.

sūr-, *v.t.* chain; see *chain* (sense 5).

sūr-, *v.t.* cross; see under *cross*.

sūr-, *v.t.* level; a revolving telescope

on a tripod and fitted with cross

hair spirit level; used by surveyors

to find points of identical elevation.

sūr-, *v.t.* turn, up; cry, myth; cat, machine, ace, church, chord; gem, anger, (Fr.) bon, as; this, thin; azure

surveyor's measure; a system of measure- ment used in surveying:

7.92 inches = 1 link
100 links = 1 chain, or 66 feet
80 chains = 1 mile
625 square links = 1 square pole
16 square poles = 1 square chain
10 square chains = 1 acre
640 acres = 1 section, or 1 square mile

36 sections = 1 township

sūr-vey'ōr *gen'ēr-āl*, *pl. sūr-vey'ōr* *gen'ēr-āl*, 1. a principal surveyor. [Brit.]

2. in the United States government, the chief surveyor of public lands; an officer of the Department of the Interior.

sūr-vey'ōr-ship, *n.* the office or position of a surveyor.

sūr-view', *(-vū')*, *v.t.* to survey. [Archaic.]

sūr-view', *n.* a survey. [Archaic.]

sūr-vise', *v.t.*; *survised*, *pl.*, *pp.*; *survising*, *ppr.* [Fr. *sur-*, over, and *viser*, to see.] to look upon. [Obs.]

sūr-viv'āl, *n.* 1. a living beyond the life of or continuing longer than another person, thing, or event; an outliving; the act, state, or fact of surviving.

2. something that survives, as a habit, usage, or belief remaining from ancient times. *survival of the fittest*; see *natural selection* under *natural*.

sūr-viv'ānce, *sūr-viv'ān-cy*, *n.* survivorship. [Rare.]

sūr-vive', *v.t.*; *survived*, *pl.*, *pp.*; *surviving*, *ppr.* [Fr. *survivre*, to survive, from *L. supervivere*, to outlive; *super*, above, and *vivere*, to live.]

1. to outlive; to live beyond the life or existence of; to last longer than; as, the wife survived her husband.

2. to continue to live after or in spite of; as, we survived the wreck.

sūr-vive', *v.i.* to remain alive or in existence, as after an event or after the death of another.

sūr-viv'ēr, *n.* same as *survivor*.

sūr-viv'ing, *a.* remaining alive or in existence; as, surviving relatives, surviving customs.

sūr-viv'ōr, *n.* 1. one who or that which exists after the death of another or others, or after some event or time.

2. in law, the longer liver of two joint tenants, or of any two persons who have a joint interest in anything.

sūr-viv'ōr-ship, *n.* 1. the state of being a survivor.

2. in law, the right of a surviving joint owner or owners to take the share of another upon his death.

sus-cep-ti-bil'i-ty, *n.*; *pl. sus-cep-ti-bil'i-ties*, 1. the quality or state of being susceptible.

2. [*pl.*] capacities for feeling or emotional excitement; sensitivities.

3. a susceptible temperament or disposition; capacity for receiving impressions.

4. the capacity of a substance for being magnetized, expressed in the ratio of the extent of magnetization to the strength of the magnetizing force.

Syn.—sensitivity, capability, feeling.

sus-cep'ti-ble, *a.* [Fr., from *L. susceptibilis*, ready to undertake; *sub*, under, and *capere*, to take.] easily affected emotionally; having a sensitive nature or feelings; responsive.

susceptible of; that can be affected with; admitting; allowing; as, testimony *susceptible of error*.

susceptible to; easily influenced by or affected with; especially liable to; as, *susceptible to tuberculosis*.

Syn.—capable, impressible, tender, sensitive.

sus-cep'ti-ble-ness, *n.* susceptibility.

sus-cep'ti-bly, *adv.* so as to be susceptible.

sus-cep'tion, *n.* the act of taking upon oneself. [Rare.]

sus-cep'tive, *a.* 1. susceptible.

2. receptive.

sus-cep'tive-ness, *n.* susceptibility.

sus-cep-tiv'i-ty, *n.* the quality of being sus- ceptive.

sus-cep'tōr, *n.* [*L.*] one who undertakes; specifically, a godfather. [Rare.]

sus-cip'i-en-cy, *n.* reception; admission. [Obs.]

sus-cip'i-ent, *a.* receiving; admitting. [Obs.]

sus-cip'i-ent, *n.* one who takes or admits; one who receives. [Obs.]

sus'ci-tā-bil'i-ty, *n.* the state or quality of being readily roused, raised, or excited; excit- ability. [Obs.]

sus'ci-tāte, *v.t.* to rouse; to excite; to call into life and action.

suspender

sus-ci-tā'tion, *n.* the act of raising or excit- ing.

sū'si, *n.* [Hind.] a fine cotton fabric striped with silk or cotton.

sus'lik, *n.* [Russ.] 1. a small gopher or ground squirrel, *Spermophilus citellus*, of north central Eurasia; a spermophile.



SUSLIK (*Spermophilus citellus*)

2. its mottled, grayish-brown fur.

sus-ō-tox'in, *n.* [*L. sus, suis*, hog, pig, and *Eng. toxin*.] a ptomaine, $C_{10}H_{15}N_5$, isolated from cultures of the hog-cholera bacillus.

sus-pect', *v.t.*; *suspected*, *pl.*, *pp.*; *suspecting*, *ppr.* [Fr. *suspecter*, from *L. suspectus*, *pp.* of *suspiciere*, to look under, to look up to, ad- mire, also, to mistrust; *sub*, under, and *spicere*, to look.]

1. to look up to; to respect. [Obs.]

2. to believe (someone) to be guilty of something specified on little or no evidence.

3. to believe to be bad, wrong, harmful, questionable, etc.; to distrust.

4. to imagine to be; to think probable or likely; suppose; presume; surmise.

sus-pect', *v.i.* to imagine guilt; to be suspi- cious.

sus'pect, *a.* doubtful; suspected; under sus- picion.

sus'pect, *n.* 1. suspicion. [Archaic.]

2. a suspected person, especially one sus- pected of a crime, etc.

sus-pect'ā-ble, *a.* that can be suspected. [Rare.]

sus-pect'ed-ly, *adv.* so as to excite suspicion; so as to be suspected.

sus-pect'ed-ness, *n.* the state of being sus- pected.

sus-pect'ēr, *n.* one who suspects.

sus-pect'ful, *a.* apt to suspect or mistrust; suspicious. [Rare.]

sus-pec'tion, *n.* suspicion. [Obs.]

sus-pec'tious-ness (-shus-), *n.* suspiciousness. [Obs.]

sus-pect'less, *a.* 1. not suspecting; having no suspicion. [Obs.]

2. not suspected; not mistrusted. [Obs.]

sus-pend', *v.t.*; *suspended*, *pl.*, *pp.*; *suspend- ing*, *ppr.* [ME. *suspenden*; Fr. *suspendre*, to suspend, from *L. suspendere*, to hang up; *sub*, under, and *pendere*, to hang.]

1. to bar or exclude from an office, privilege, position, etc., usually for a specified time, as a penalty; to debar.

2. to cause to cease or become inoperative for a time; to stop or withhold temporarily; as, train service has been *suspended*.

3. to keep undecided or in abeyance; to hold back (judgment, sentence, etc.).

4. to hang; to attach to something above so as to allow free movement; as, to *suspend* a chandelier.

5. to hold without attachment, as dust in the air; to keep in suspension.

6. to keep in suspense, wonder, etc.

7. to make to depend on. [Rare.]

God hath *suspended* the promise of eternal life on the condition of faith and obedience. —Tillotson.

8. in music, to hold back (a tone) into the next chord, creating a temporary dis- sonance.

Syn.—defer, withhold, hang, interrupt, in- termit, stay, delay, hinder, debar.

sus-pend', *v.i.* 1. to stop temporarily.

2. to stop payment, or be unable to meet one's debts or obligations.

sus-pend'ed, *a.* 1. hung from something; pendant.

2. interrupted; delayed temporarily.

3. in botany, hanging downward from the apex of a cell, as many seeds or ovules.

4. in entomology, attached in a pendant po- sition by the cremaster, as the chrysalises of many butterflies.

sus-pend'ed an-i-mā'tion, a temporary cessa- tion of the vital functions resembling death, as in asphyxiation.

sus-pend'ēr, *n.* 1. one who or that which sus- pends.

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